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Law Offices  
of

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A Professional Corporation

DOCKET FILE COPY ORIGINAL

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MAY - 3 1993

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Federal Express

April 30, 1993

Donna Searcy, Secretary  
Federal Communications Commission  
1919 M Street NW Suite 222  
Washington, D.C. 20554

Re: MM Docket No. 93-95 Windsor, CA

Dear Ms. Searcy:

Enclosed for filing in the above-referenced proceeding are an original and six copies of a Petition For Leave to Amend and Amendment of Applicant, Judy Yep Hughes (BPH-911115MT).

Should you have any questions concerning this matter, please contact the undersigned.

Very truly yours, /

RECEIVED

MAY - 3 1993

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C.

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

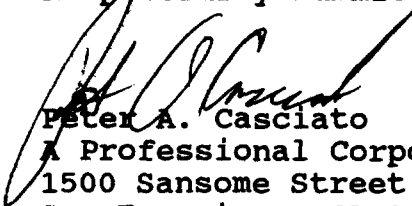
In re Applications of	)	MM Docket No. 93-95
	)	
ERIC R. HILDING	)	File No. BPH-911115MR
	)	
JUDY YEP HUGHES	)	File No. BPH-911115MT
	)	
For a Construction Permit	)	
For a New FM Station on	)	
Channel 281A in	)	
Windsor, California	)	

To: Richard L. Sippel  
Administrative Law Judge

PETITION FOR LEAVE TO AMEND

Judy Yep Hughes, applicant for a new FM radio Station on channel 281A in Windsor, California, by her attorney, hereby petitions for leave to amend her application to include the attached engineering information required by ordering paragraph 8 of the Hearing Designation Order, DA 93-330, released April 8, 1993. Inasmuch as this is a compliance filing, Applicant submits that good cause has been shown and respectfully requests that it be granted leave to file the attached amendment.

Respectfully submitted,

  
Peter A. Casciato  
A Professional Corporation  
1500 Sansome Street Suite 201  
San Francisco, CA 94111  
(415) 291-8661

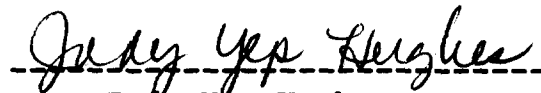
April 30, 1993

Counsel to Judy Yep Hughes

Amendment No. 3  
Application of Judy Yep Hughes  
BPH-911115MT  
Windsor, CA

Judy Yep Hughes hereby amends her above-captioned application to reflect the attached engineering information to comply with ordering paragraph 8 of the Hearing Designation Order DA 93-330, released April 8, 1993.

April 29, 1993

  
-----  
Judy Yep Hughes

JAMES B. HATFIELD, PE  
BENJAMIN F. DAWSON III, PE  
THOMAS M. ECKELS, PE

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## ENGINEERING REPORT:

AMENDMENT TO PENDING APPLICATION (BPH-911115MR)  
FOR A CONSTRUCTION PERMIT FOR A  
NEW FM BROADCAST STATION

CHANNEL 281A, 104.1 MHZ  
WINDSOR, CALIFORNIA

JUDY YEP HUGHES

4/93

### 1. Purpose of Report

This Engineering Report supports an amendment to a pending application (BPH-911115MR) for a new FM broadcast station on Channel 281A at Windsor, California. The amendment is filed in response to the requirements of the Hearing Designation Order in MM Docket No. 93-95, which requested that the applicant correct the site elevation shown in the original application from 488 meters AMSL to 499 meters AMSL. The corrected figure is based on a detailed survey map submitted by the opposing applicant in the proceeding in MM Docket No. 93-95.

### 2. Allocation Considerations

The change in site elevation does not affect the allocation circumstances outlined in the original application.

### 3. Facilities Proposed

Operation is proposed on Channel 281A (104.1 MHz) with an effective radiated power of 0.25 kilowatts (-6.02 dBK) and an antenna height above average terrain of 348 meters. The proposed effective radiated power produces a distance to the 60 dBu F(50,50) contour of 24.2 kilometers, which rounds to 24 kilometers when taken to the nearest meter. This is the maximum ERP allowed for an "old" Class A station under the requirements of §73.213 of the Commission's Rules.

The attached exhibit titled "Facilities and Coverage Contours" shows the distances to the proposed 70 dBu and 60 dBu F(50,50) contours, based on digitized terrain data taken from the NGDC 30 second digitized terrain database. The distances to the contours differ only very slightly to those shown in the original application; however, the differences would not

be discernable on a large scale contour map exhibit. Therefore, a new map showing the proposed contours has not been submitted with this amendment; such a map will be submitted on request if it is required. The area and population figures for the proposed 60 dBu F(50,50) contour are also slightly different from those shown in the original application. A revised vertical plan sketch has been submitted with this amendment showing the corrected heights above mean sea level for the existing tower and the proposed antenna radiation center. Because the height above ground level of the proposed antenna radiation center is unchanged, this amendment has no effect upon the NIER calculations shown in the original application.

# FACILITIES & COVERAGE CONTOURS

## PROPOSED FM RADIO STATION

WINDSOR, CA

Channel 281 104.1 MHz

Class A, Omnidirectional Antenna

HAAT = 348 Meters

TERRAIN AVG. = 171 Meters AMSL

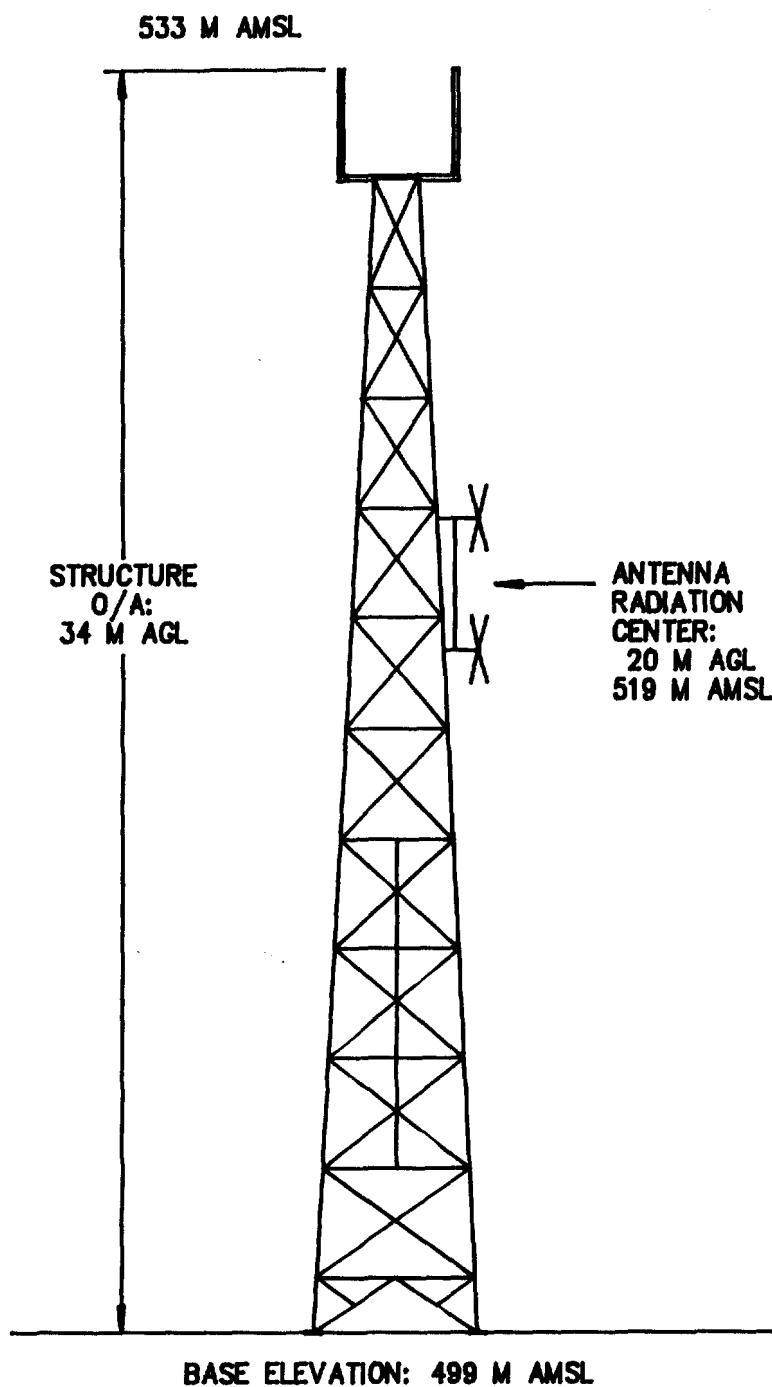
DISTANCE TO CONTOURS  
F(50,50)

RAD. CENTER = 519 Meters AMSL

AZIMUTH (°True)	HAT (m)	HAAT (m)	ERP (kW)	ERP (dBk)	70 dBu (km)	60 dBu (km)
0	242	278	0.25	-6.02	12.3	21.6
45	115	404	0.25	-6.02	14.8	26.4
90	72	447	0.25	-6.02	15.4	27.7
135	67	452	0.25	-6.02	15.5	27.9
180	164	355	0.25	-6.02	13.9	24.6
225	121	398	0.25	-6.02	14.7	26.2
270	163	356	0.25	-6.02	13.9	24.7
315	423	96	0.25	-6.02	7.2	12.9
* 85	78	441	0.25	-6.02	15.3	27.5

\* - Extra radial, not included in average.

HATFIELD & DAWSON  
CONSULTING ENGINEERS



**HATFIELD & DAWSON**  
**CONSULTING ENGINEERS**

EXHIBIT 1  
VERTICAL PLAN SKETCH  
PROPOSED(FM) WINDSOR, CA

4/93



Section V-B - FM BROADCAST ENGINEERING DATA	For Commission Use Only	
	File No.	_____
	ASB Referral Date	_____
	Referred by	_____

Name of Applicant  
JUDY YEP HUGHES

Call Letters (if issued)	Is this application being filed in response to a window? <u>X</u> Yes ___ No If Yes, specify closing date: NOVEMBER 15, 1991
-----------------------------	---

Purpose of Application (Check appropriate boxes)

<input checked="" type="checkbox"/> Construct a new (main) facility	<input type="checkbox"/> Construct a new auxiliary facility
<input type="checkbox"/> Modify existing construction permit for main facility	<input type="checkbox"/> Modify existing construction permit for auxiliary facility
<input type="checkbox"/> Modify licensed main facility	<input type="checkbox"/> Modify licensed auxiliary facility

If purpose is to modify, indicate below the nature of change(s) and specify the file number(s) of the authorizations affected.

<input type="checkbox"/> Antenna supporting-structure height	<input type="checkbox"/> Effective radiated power
<input type="checkbox"/> Antenna height above average terrain	<input type="checkbox"/> Frequency
<input type="checkbox"/> Antenna location	<input type="checkbox"/> Class
<input type="checkbox"/> Main studio location	<input type="checkbox"/> Other (summarize briefly)

File Number(s) \_\_\_\_\_

1. Allocation:

Channel No.	Principal community to be served:			Class (Check only one below)
281	City WINDSOR	County SONOMA	State CA	<input checked="" type="checkbox"/> A <input type="checkbox"/> B1 <input type="checkbox"/> B <input type="checkbox"/> C3 <input type="checkbox"/> C2 <input type="checkbox"/> C1 <input type="checkbox"/> C

2. Exact location of antenna.

(a) Specify address, city, county, and state. If no address, specify distance and bearing relative to the nearest town or landmark.

MT JACKSON, 12.6 KM WEST OF WINDSOR

(b) Geographical coordinates (to nearest second). If mounted on element of an AM array, specify coordinates of center of array. Otherwise, specify tower location. Specify South Latitude or East Longitude where applicable; otherwise, North Latitude or West Longitude will be presumed.

Latitude	38°	32'	24"	Longitude	122°	57'	39"
----------	-----	-----	-----	-----------	------	-----	-----

3. Is the supporting structure the same as that of another station(s) or proposed in another pending application(s)? X Yes \_\_\_ No

If Yes, give call letter(s) or file number(s) or both KVL-365, KNYC-333, KNCH-934 AND OTHER LAND MOBILE AND MICROWAVE FACILITIES

If proposal involves a change in height of existing structure, specify existing height above ground level, including antenna, all other appurtenances, and lighting, if any.

DNA



10. Is a directional antenna proposed?

☐ Yes ☒ No

If Yes, attach as an Exhibit a statement with all data specified in 47 C.F.R. Section 73.316 including plot(s) and tabulations of the relative field.

Exhibit No.  
DNA

11. Will the proposed facility satisfy the requirements of 47 C.F.R. Sections 73.315(a) and (b)?

☒ Yes ☐ No

If No, attach as an Exhibit a request for waiver and justification therefor, including amounts and percentages of population and area that will not receive 3.16 mV/m service.

Exhibit No.  
DNA

12. Will the main studio be within the protected 3.16 mV/m field strength contour of this proposal?

☒ Yes ☐ No

If No, attach as an Exhibit justification pursuant to 47 C.F.R. Section 73.1125.

Exhibit No.  
DNA

13. (a) Does the proposed facility satisfy the requirements of 47 C.F.R. Section 73.207?

☐ Yes ☒ No

(b) If the answer to (a) is No does 47 C.F.R. Section 73.213 apply?

☒ Yes ☐ No

(c) If the answer to (b) is Yes, attach as an Exhibit a justification, including a summary of any previous waivers.

Exhibit No.  
\*

\* ON FILE, NO CHANGE

(d) If the answer to (a) is No and the answer to (b) is No, attach as an Exhibit a statement describing the short spacing(s) and how it or they arose.

Exhibit No.  
DNA

(e) If authorization pursuant to 47 C.F.R. Section 73.215 is requested, attach as an Exhibit a complete engineering study to establish the lack of prohibited overlap of contours involving affected stations. The engineering study must include the following:

Exhibit No.  
DNA

(1) Protected and interfering contours, in all directions (360°), for the proposed operation

(2) Protected and interfering contours, over pertinent arcs, of all short-spaced assignments, applications, and allotments, including a plot showing each transmitter location, with identifying call letters or file numbers, and indication of whether facility is operating or proposed. For vacant allotments, use the reference coordinates as the transmitter location.

(3) When necessary to show more detail, an additional allocation study utilizing a map with a larger scale to clearly show prohibited overlap will not occur.

(4) A scale of kilometers and properly labeled longitude and latitude lines, shown across the entire exhibit(s). Sufficient lines should be shown so that the location of the sites may be verified.

(5) The official title(s) of the map(s) used in the exhibit(s).

14. Are there: (a) within 60 meters of the proposed antenna, any proposed or authorized FM or TV transmitters, or any nonbroadcast (except citizens band or amateur) radio stations; or (b) within the blanketing contour, any established commercial or government receiving stations, cable head-end facilities, or populated areas; or (c) within ten (10) kilometers of the proposed antenna, any proposed or authorized FM or TV transmitters which may produce receiver-induced intermodulation interference?

☒ Yes ☐ No

If Yes, attach as an Exhibit a description of any expected, undesired effects of operations and remedial steps to be pursued if necessary, and a statement accepting full responsibility for the elimination of any objectionable interference (including that caused by receiver-induced or other types of modulation) to facilities in existence or authorized or to radio receivers in use prior to grant of this application. (See 47 C.F.R. Sections 73.315(b), 73.316(e) and 73.318.)

Exhibit No.  
\*

\* ON FILE,  
NO CHANGE

15. Attach as an Exhibit a 7.5 minute series U.S. Geological Survey topographic quadrangle map that shows clearly, legibly, and accurately, the location of the proposed transmitting antenna. This map must comply with the requirements set forth in Instruction V. The map must further clearly and legibly display the original printed contour lines and data as well as latitude and longitude markings, and must bear a scale of distance in kilometers.

Exhibit No.  
\*

\* ON FILE,  
NO CHANGE

16. Attach as an Exhibit (name the source) a map which shows clearly, legibly and accurately, and with the original printed latitude and longitude markings and a scale of distance in kilometers:

Exhibit No.  
\*

\* ON FILE,  
NO CHANGE

(a) the proposed transmitter location, and the radials along which profile graphs have been prepared;

(b) the 3.16 mV/m and 1.0 mV/m predicted contours; and

(c) the legal boundaries of the principal community to be served.

17. Specify area in square kilometers (1 sq. mi. = 2.59 sq. km.) and population (latest census) within the predicted 1 mV/m contour.

Area 1,870 sq. km.

Population 215,822

18. For an application involving an auxiliary facility only, attach as an Exhibit a map (Sectional Aeronautical Chart or equivalent) that shows clearly, legibly, and accurately, and with latitude and longitude markings and a scale of distance in kilometers:

Exhibit No.  
DNA

(a) the proposed auxiliary 1 mV/m contour; and

(b) the 1 mV/m contour of the licensed main facility for which the applied-for facility will be auxiliary. Also specify the file number of the license.

19. Terrain and coverage data (to be calculated in accordance with 47 C.F.R. Section 73.313)

Source of terrain data: (check only one box below)

☒ Linearly interpolated  
30-second database  
(Source: NGDC)

☐ 7.5 minute topographic map

☐ Other (briefly summarize)

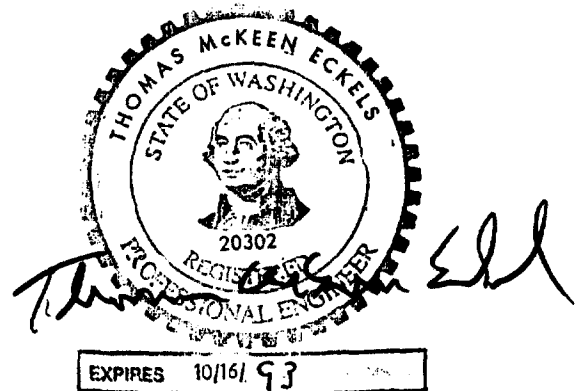
Section V-B - FM BROADCAST ENGINEERING DATA (Page 5)

Radial bearing (degrees True)	Height of radiation center above average elevation of radial from 3 to 16 km (meters)	Predicted Distances	
		To 3.16 mV/m contour (kilometers)	To 1.0 mV/m contour (kilometers)
*			
0	SEE ENGINEERING REPORT		
45			
90			
135			
180			
225			
270			
315			

### Statement of Engineer

This Engineering Statement, which supports an amendment to a pending application (BPH-911115MR) for a new FM broadcast station at Windsor, California by Judy Yep Hughes, has been prepared by the undersigned, or under my direct supervision. All representations contained herein are true to the best of my knowledge. I am an experienced radio engineer whose qualifications are a matter of record with the Federal Communications Commission. I am a partner in the firm of Hatfield and Dawson Consulting Engineers and am Registered as a Professional Engineer in the State of Washington.

April 28, 1993



Thomas McKeen Eckels, P.E.

**CERTIFICATE OF SERVICE**

I, Peter A. Casciato, certify that the following is true and correct:

I am employed in the City and County of San Francisco, California, am over the age of eighteen years, and am not a party to the within entitled action:

My business address is: 1500 Sansome St., Suite 201, San Francisco, California 94111.

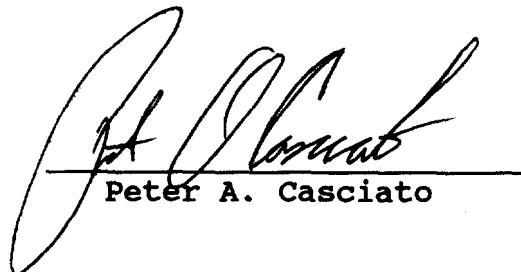
On April 30, 1993, I caused the attached Petition For Leave to Amend and Amendment to be served by causing true copies thereof, enclosed in sealed envelopes with postage thereon fully prepaid, to be sent by Express Mail in San Francisco, CA for May 3, 1993 delivery as follows:

Hon. Richard L. Sippel  
Administrative Law Judge  
Federal Communications Commission  
2000 L Street, NW Room 214  
Washington, DC 20036  
(By Hand)

Larry Miller, Esq.  
Mass Media Bureau  
Federal Communications Commission  
2025 M Street NW Room 7212  
Washington, D.C. 20554  
(By Hand)

Chief, Data Management  
Federal Communications Commission  
Mass Media Bureau  
1919 M Street NW Room 350  
Washington, D. C. 20554  
(By Hand)

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Peter A. Casciato